S.D. No. 134

Issued May 15, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL CONSERVATION AND ADJUSTMENT ADMINISTRATION
SUGAR AGENCY

Washington, D. C.

DETERMINATION OF PROPORTIONATE SHARES FOR SUGARCANE PRODUCERS IN THE VIRGIN ISLANDS FOR THE 1942 CROP YEAR, PURSUANT TO THE SUGAR ACT OF 1937, AS AMENDED

Whereas, section 302 of the Sugar Act of 1937, as amended, provides in part as follows:

(a) The amount of sugar or liquid sugar with respect to which payment may be made shall be the amount of sugar or liquid sugar commercially recoverable, as determined by the Secretary, from the sugar beets or sugarcane grown on the farm and marketed (or processed by the producer) not in excess of the proportionate share for the farm, as determined by the Secretary, of the quantity of sugar beets or sugarcane for the extraction of sugar or liquid sugar required to be processed to enable the producing area in which the crop of sugar beets or sugarcane is grown to meet the quota (and provide a normal carryover inventory) estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

(b) In determining the proportionate shares with respect to a farm, the Secretary may take into consideration the past production on the farm of sugar beets and sugarcane marketed (or processed) for the extraction of sugar or liquid sugar and the ability to produce such sugar beets or sugarcane, and the Secretary shall, insofar as practicable, protect the interests of new producers and small producers and the interests of producers who are cash tenants, share-tenants, adherent planters, or sharecroppers.

And, whereas, subsection (c) of section 301 of said act provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

That there shall not have been marketed (or processed) an amount (in terms of planted acreage, weight, or recoverable sugar content) of sugar beets or sugarcane grown on the farm and used for the production of sugar or liquid sugar to be marketed in, or so as to compete with or otherwise directly affect interstate or foreign commerce, in excess of the proportionate share for the farm, as determined by the Secretary pursuant to the provisions of section 302, of the total quantity of sugar beets or sugarcane required to be processed to enable the area in which such sugar beets or sugarcane are produced to meet the quota (and provide a normal carry-over inventory) as estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

And, whereas, pursuant to the recent suspension of title II of the said act, the aforesaid quota and inventory limitations are not applicable for 1942:

Now, therefore, the following determination is hereby issued:

Proportionate shares for sugarcane producers in the Virgin Islands for the 1942 crop year. (a) The proportionate share for each farm in the Virgin Islands for the 1942 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on the farm and marketed (or processed by the producer) for the extraction of sugar during the 1942 crop.

(b) Tenant and sharecropper protection. The provisions of this determination are subject to the following conditions:

(1) That no change shall have been made in the leasing or cropping agreements for the purpose of, or which shall have the effect of, diverting to any producer, any payments to which tenants or sharecroppers would be entitled if the 1940-41 leasing or cropping agreements were in effect.

(2) That there shall have been no interference by any producer with contracts heretofore entered into by tenants or sharecroppers for the sale of their sugarcane.

(c) Designation of agent. The Chief, or the Acting Chief, of the Sugar Agency of the Agricultural Conservation and Adjustment Administration, and the Officer in Charge of the San Juan office of the Agricultural Adjustment Agency, or the Acting Officer in Charge thereof, are hereby designated to act, jointly or severally, as agents of the Secretary of Agriculture in administering the provisions of this determination.

Done at Washington, D. C. this 15th day of May 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

Claude R. Wickard,
Secretary.

S. D. No. 135 Issued June 2, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL CONSERVATION AND ADJUSTMENT ADMINISTRATION
SUGAR AGENCY

WASHINGTON, D. C.

DETERMINATION OF FAIR AND REASONABLE PRICES FOR THE 1941–1942 CROP OF PUERTO RICAN SUGARCANE

Whereas, section 301 (d) of the Sugar Act of 1937, as amended, provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

> That the producer on the farm who is also, directly or indirectly, a processor of sugar beets or sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for any sugar beets or sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

Whereas, The Secretary of Agriculture, on February 3, 1942, held a public hearing at San Juan, Puerto Rico, for the purpose of receiving evidence likely to be of assistance to him in determining fair and reasonable prices for the 1941–1942 crop of Puerto Rican sugarcane:

NOW, THEREFORE, I, CLAUDE R. WICKARD, Secretary of Agriculture, after investigation and due consideration of the evidence obtained at the aforesaid hearing and all other information before me, do hereby make the following determination with respect to the requirements of section 301 (d) of the Sugar Act of 1937:

Fair and reasonable prices for the 1941–1942 crop of Puerto Rican sugarcane to be paid by processors who, as producers, apply for payments under the Sugar Act of 1937, as amended, shall be as follows:

(a) When payment for sugarcane delivered to a producer-processor is made by actual delivery of sugar to the producer (colono) on the basis of a stated percentage of 96° raw sugar recoverable from the producer's sugarcane, such percentage shall be the same as for the 1940–1941 crop, calculated in accordance with the formula given below, except that in no event shall it be less than 63% of the recoverable sugar (packed in the customary bags) determined in accordance with the formula given below, and except, further, that such recoverable sugar shall be calculated fortnightly or monthly, as may be agreed upon between the producer and the producer-processor:

$$R=(S-0.3B)\,F$$

where:

R=Recoverable sugar yield, 96° polarization.

S=Polarization of the crusher juice obtained from the sugarcane of each producer.

B=“Brix” of the crusher juice obtained from the sugarcane of each producer.

F=Factor obtained from the fraction whose numerator is the average yield of sugar 96° polarization obtained from the aggregate grinding during each fortnight or month in which the cane of the producer is ground, and whose denominator is the average polarization of the crusher juice minus three-tenths of the Brix of the crusher juice, both components of the denominator being obtained from the aggregate grinding during the fortnight or month in which the cane of the producer has been ground:

Provided, however, That in the event a mill has been using the formula set forth below to calculate the sugar recoverable from the cane ground during the 1941–1942 crop year, such formula may be used to determine the recoverable sugar from the 1941–1942 crop of sugarcane:

$$R=FS$$

where:

R=Recoverable sugar, 96° polarization.

S=Polarization of the crusher juice obtained from the sugarcane of each producer, during each fortnight or month.

F=Fraction whose numerator is the average yield of sugar of 96° polarization obtained from the aggregate grinding during each fortnight or month in which the cane of the producer (colono) has been ground, and whose denominator is the average polarization of the crusher juice obtained from the aggregate grinding during the fortnight or month in which the cane of the producer (colono) has been ground:

Provided, further, That when, through the delivery of unripe or burnt cane, or through any other cause, the recoverable sugar determined in accordance with the aforesaid provisions amounts to nine pounds or less per 100 pounds of cane, or when sugarcane is delivered of the Japanese, Uba, Coimbatore, or other varieties of the Sacharum Spontaneum or Sacharum Sinensis type, the payment shall be on the basis of rates not less than those provided in the 1940–1941 cane grinding agreement between the producer-processor and the producer.

(b) When payment for sugarcane delivered to a producer-processor is made by actual delivery of sugar to the producer on the basis of an amount of 96° raw sugar equal to a stated percentage of the weight of the sugarcane received from the producer (commonly referred to as the “flat rate” basis), the applicable percentage for the computation of the quantity of sugar deliverable to the producer shall be not less than the greater of either, (1) the percentage provided for in existing contracts (verbal or written) between the producer and the producer-processor; or (2) the product of the average number of pounds of sugar, 96° basis, recovered per 100 pounds of sugarcane during the current crop or month, or week (as may be agreed upon), at the mill where the sugarcane was ground, and .63. The figure for the average number of pounds of sugar, 96° basis, recovered per 100 pounds of sugarcane shall be rounded to the nearest one-tenth of a pound. The product of such figure and .63 shall be rounded to the nearest one-hundredth of 1 percent. If pay-

ment is to be determined from the sugar recovery for the entire crop, as aforesaid, provisional liquidation shall be made fortnightly or monthly on such bases as may be agreed upon between the producer (colono) and the producer-processor.

(c) When settlement is made in cash, the money value of the sugar which would otherwise be delivered to the producer, as in paragraph (a) or (b) of this section (whichever is applicable), shall be determined on the basis of the average duty paid for 96° sugar for the fortnight or month (or such other period as may be agreed upon between the producer and the producer-processor) during which the sugarcane is delivered to the producer-processor, converted to the equivalent f. o. b. mill price by deducting selling and delivery expenses actually incurred by the producer-processor, except that in no event shall such deduction amount to more than .31 cent per pound of sugar, plus the excess of the average selling and delivery expense incurred in 1942 over that incurred in 1941: *Provided, however*, That the producer-processor shall adjust (or agree to adjust) the f. o. b. mill price, determined in the aforesaid manner, to give recognition to any reimbursement of selling and delivery expenses made to the producer-processor by any government agency.

(d) When payment is made by delivery of sugar, as in paragraph (a) or (b) of this section, the producer-processor shall (1) store and insure (or agree to store and insure) all such sugar until the end of the calendar year free of charge to the grower (except that the grower shall bear a proportionate share of any charges arising out of the necessity of utilizing outside storage facilities) and (2) share (or agree to share) with the producer, on a pro rata basis, all ocean shipping facilities available to the producer-processor.

(e) In addition to the foregoing, the following requirements shall be met:

(1) The producer-processor shall pay to the grower a molasses bonus per ton of cane delivered, such bonus to be computed by dividing one-half of the excess, if any, of the net proceeds realized from the sale of blackstrap molasses of the 1941–1942 crop over the net proceeds realized from the sale of blackstrap molasses of the 1940–1941 crop, by the total number of tons of 1941–1942 crop sugarcane ground by the producer-processor.

(2) When sugarcane is delivered to a producer-processor in the name of a person other than the producer thereof (commonly referred to as "purchasing agent"), the producer-processor shall make payment to the producer of such sugarcane in accordance with the provisions of this determination.

(3) The producer-processor shall not, through any subterfuge or device whatsoever, reduce the returns from the 1941–1942 crop of Puerto Rican sugarcane to the producer below those determined above.

Done at Washington, D. C., this 2nd day of June 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

U. S. GOVERNMENT PRINTING OFFICE: 1942

S. D. No. 136 Issued June 6, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL CONSERVATION AND ADJUSTMENT ADMINISTRATION

SUGAR AGENCY

WASHINGTON, D. C.

SUGAR COMMERCIALLY RECOVERABLE FROM SUGARCANE IN PUERTO RICO—1941–42 CROP YEAR

Pursuant to the provisions of section 302 (a) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

Determination of sugar commercially recoverable from sugarcane in Puerto Rico.—The amount of sugar commercially recoverable from the sugarcane grown on a farm in Puerto Rico and marketed (or processed by the producer) for the extraction of sugar shall be obtained by multiplying the number of short tons of such sugarcane by the number of hundredweights of sugar, raw value, commercially recoverable per ton of such sugarcane, computed in accordance with the applicable provisions of the determination of fair and reasonable prices for the 1941–42 crop of Puerto Rican sugarcane, pursuant to the Sugar Act of 1937, as amended, and the quantity of 96° sugar thereby obtained shall be converted to raw value basis in accordance with the provisions of Title I of the Sugar Act of 1937, as amended.

Done at Washington, D. C. this 6th day of June 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

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U. S. GOVERNMENT PRINTING OFFICE: 1942

S. D. No. 137 Issued June 26, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE

PUERTO RICO SUGARCANE FARMING PRACTICES, 1942–43

SUGAR AGENCY

PUERTO RICO SUGARCANE FARMING PRACTICES, 1942–43

Determination of farming practices to be carried out in connection with production of sugarcane during the crop year 1942–43 in Puerto Rico.

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

Farming practices to be carried out in connection with the production of sugarcane during the crop year 1942–43.—The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to any farm in Puerto Rico if soil-conserving food crops for human consumption are grown during the period July 1, 1942, to December 31, 1942, on the type of land and in the manner set forth below:

(a) The land to be used for the production of the crops in question shall be land suitable for the production of sugarcane, and the acreage so used shall be equal to not less than 7% of the land on the farm on which sugarcane is growing at June 30, 1942 (but in no event less than one-tenth of an acre): *Provided, however*, That (1) not less than 80% of such acreage shall be planted to the types of leguminous food crops required under § 702.301 (e) (1) of the 1942 Agricultural Conservation Program Bulletin for the Insular Region and the balance planted to any other food crops therein specified, (2) the plants or vines of such food crops shall not be removed from the land on which grown, and (3) where row crops are to be grown on land of more than 6% average slope, the planting and cultivating shall be carried out along lines deviating not more than 2% from contour lines.

(b) The land devoted to the crops in question shall be suitably prepared by plowing or disking, adequately seeded, and cultivated in a workmanlike manner to assure a good stand at the time of maturity.

Done at Washington, D. C. this 26th day of June, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

472578—42 U. S. GOVERNMENT PRINTING OFFICE: 1942

S. D. No. 137 (Revision 1) Issued December 23, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE

FOOD DISTRIBUTION ADMINISTRATION

SUGAR AGENCY

Washington, D. C.

DETERMINATION OF FARMING PRACTICES TO BE CARRIED OUT IN CONNECTION WITH THE PRODUCTION OF SUGARCANE DURING THE CROP YEAR 1942–43 FOR PUERTO RICO, PURSUANT TO THE SUGAR ACT OF 1937, AS AMENDED, REVISED

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

Farming practices to be carried out in connection with the production of sugarcane during the crop year 1942–43. The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to any farm in Puerto Rico if soil-conserving food crops for human consumption are grown during the period July 1, 1942, to January 31, 1943, on the type of land and in the manner set forth below:

(a) The land to be used for the production of the crops in question shall be land suitable for the production of sugarcane, and the acreage so used shall be equal to not less than 7% of the land on the farm on which sugarcane is growing at June 30, 1942 (but in no event less than one-tenth of an acre): *Provided, however*, That (1) not less than 80% of such acreage shall be planted to the types of leguminous food crops required under § 702.301 (e) (1) of the 1942 Agricultural Conservation Program Bulletin for the Insular Region and the balance planted to any other food crops therein specified, (2) the plants or vines of such food crops shall not be removed from the land on which grown, and (3) where row crops are to be grown on land of more than 6% average slope, the planting and cultivating shall be carried out along lines deviating not more than 2% from contour lines.

(b) The land devoted to the crops in question shall be suitably prepared by plowing or disking, adequately seeded, and cultivated in a workmanlike manner to assure a good stand at the time of maturity.

This determination supersedes the "Determination of Farming Practices to be Carried Out in Connection With the Production of Sugarcane During the Crop Year 1942–43 in Puerto Rico, Pursuant to the Sugar Act of 1937, as Amended," issued June 26, 1942.

Done at Washington, D. C., this 23d day of December 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

GROVER B. HILL,
Assistant Secretary.

U. S. GOVERNMENT PRINTING OFFICE: 1943

504414—43

S. D. No. 138 Issued July 13, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE

Agricultural Conservation and Adjustment Administration

Sugar Agency

Washington, D. C.

Virgin Islands

Sugar Commercially Recoverable From Sugarcane

Pursuant to the provisions of section 302 (a) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

Sugar commercially recoverable from sugarcane in the Virgin Islands. The amount of sugar commercially recoverable from the sugarcane grown on a farm in the Virgin Islands and marketed (or processed by the producer) for the extraction of sugar shall be the amount obtained by multiplying the number of short tons of such sugarcane by the average number of hundredweights of sugar, raw value, recovered per short ton of sugarcane at the mill where such sugarcane is ground. Such average number of hundredweights of sugar recovered per short ton of sugarcane shall be established by dividing the total number of hundredweights of sugar produced (in terms of the average polarization of such sugar) at the mill where the sugarcane is ground by the total number of short tons of sugarcane ground during the applicable grinding season, and by converting the resulting quotient to raw value basis in accordance with the provisions of Title I of the Sugar Act of 1937, as amended.

Done at Washington, D. C., this 13th day of July, 1942. Witness my hand and the seal of the Department of Agriculture.

(Seal)

Grover B. Hill,
Assistant Secretary of Agriculture.

S. D. No. 139 Issued July 21, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Conservation and Adjustment Administration
Sugar Agency
Washington, D. C.

Virgin Islands; Sugarcane Prices

Determination of fair and reasonable prices for the 1942 crop of Virgin Islands sugarcane:

Whereas section 301 (d) of the Sugar Act of 1937, as amended, provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

> That the producer on the farm who is also, directly or indirectly, a processor of sugar beets or sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for any sugar beets or sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

Whereas the Secretary of Agriculture, on March 26, 1942, held a public hearing at Christiansted, St. Croix, Virgin Islands, for the purpose of receiving evidence likely to be of assistance to him in determining fair and reasonable prices for the 1942 crop of Virgin Islands sugarcane:

Now, therefore, I, Paul H. Appleby, Under Secretary of Agriculture, after investigation and due consideration of the evidence obtained at the aforesaid hearing and all other information before me, do hereby make the following determination with respect to the requirements of section 301 (d) of the said act:

Authority: § 802.53 issued under sec. 301 (d) of the Sugar Act of 1937, as amended (50 Stat. 910; 7 U.S.C. 1131).

Fair and reasonable prices for the 1942 crop of Virgin Islands sugarcane. Processors who, as producers, apply for payment under the Sugar Act of 1937, as amended, shall be deemed to have complied with the provisions of section 301 (d) of said act, if the requirements specified below have been met:

(a) Purchased sugarcane is paid for at the rate of not less than the f.o.b. mill value of 6 pounds of 96° raw sugar per hundredweight of such sugarcane. The average New York price of 96° raw sugar, for the week (or such other period as may be agreed upon) in which sugarcane was delivered, less all costs involved in the marketing of such sugar, (other than bags and bagging, storage in company warehouses, war risk insurance, or any item of expense incurred in the marketing of such sugar which is reimbursed in whole or in part by the federal government or any agency thereof) shall be deemed as the f.o.b. mill value of such sugar.

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(b) There is paid, per hundredweight of purchased sugarcane, an amount equal to one-half of the excess, if any, of the net proceeds derived from the sale of blackstrap molasses produced from a hundredweight of sugarcane of the 1942 crop over the net proceeds from the sale of blackstrap molasses produced from a hundredweight of sugarcane from the 1941 crop.

(c) The cost of transportation of purchased sugarcane for distances in excess of one kilometer from the limits of the field where such sugarcane is harvested, or from the way station nearest the field, whichever is shorter, is absorbed by the processor.

Done at Washington, D. C. this 21st day of July 1942. Witness my hand and the seal of the Department of Agriculture.

S E A L

Paul H. Appleby
Under Secretary of Agriculture.

S. D. No. 139 (Revision 1) Issued November 13, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL CONSERVATION AND ADJUSTMENT ADMINISTRATION

SUGAR AGENCY, WASHINGTON, D. C.

DETERMINATION OF FAIR AND REASONABLE PRICES FOR THE 1942 CROP OF VIRGIN ISLANDS SUGARCANE (REVISED)

Whereas section 301 (d) of the Sugar Act of 1937, as amended, provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

> That the producer on the farm who is also, directly or indirectly, a processor of sugar beets or sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for any sugar beets or sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

Whereas the Secretary of Agriculture, on March 26, 1942, held a public hearing at Christiansted, St. Croix, Virgin Islands, for the purpose of receiving evidence likely to be of assistance to him in determining fair and reasonable prices for the 1942 crop of Virgin Islands sugarcane:

Now, therefore, I, Grover B. Hill, Assistant Secretary of Agriculture, after investigation and due consideration of the evidence obtained at the aforesaid hearing and all other information before me, do hereby make the following determination with respect to the requirements of section 301 (d) of the said act:

Fair and reasonable prices for the 1942 crop of Virgin Islands sugarcane. Processors who, as producers, apply for payment under the Sugar Act of 1937, as amended, shall be deemed to have complied with the provisions of section 301 (d) of said act, if the requirements specified below have been met:

(a) Purchased sugarcane is paid for at the rate of not less than the f. o. b. mill value of 6 pounds of 96° raw sugar per hundredweight of such sugarcane. The average New York price of 96° raw sugar, for the week (or such other period as may be agreed upon) in which sugarcane was delivered, less all costs involved in the marketing of such sugar (other than bags and bagging, storage in company warehouses, war risk insurance, or any item of expense incurred in the marketing of such sugar which is reimbursed in whole or in part by the federal government or any agency thereof) shall be deemed as the f. o. b. mill value of such sugar.

(b) There is paid, per hundredweight of purchased sugarcane, an amount equal to one-half of the excess, if any, of the net proceeds derived from the sale of blackstrap molasses produced from a hundredweight of sugarcane of the 1942 crop over the net proceeds from the sale of blackstrap molasses produced from a hundredweight of sugarcane from the 1941 crop.

(c) The cost of transportation of purchased sugarcane up to 3 cents per hundredweight, shall be absorbed by the processor.

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This determination supersedes the "Determination of Fair and Reasonable Prices for the 1942 Crop of Virgin Islands Sugarcane", issued July 21, 1942.

Done at Washington, D. C., this 13th day of November, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

U. S. GOVERNMENT PRINTING OFFICE: 1942

(9)

S.D. No. 140 Issued July 21, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Conservation and Adjustment Administration
Sugar Agency
Washington, D. C.

Virgin Islands; Sugarcane Wage Rates 1942

Determination of fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during the calendar year 1942.

Whereas section 301 (b) of the Sugar Act of 1937, as amended, provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

> That all persons employed on the farm in the production, cultivation, or harvesting of sugar beets or sugarcane with respect to which an application for payment is made shall have been paid in full for all such work and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended, and the differences in conditions among various producing areas: Provided, however, That a payment which would be payable except for the foregoing provisions of this subsection may be made, as the Secretary may determine, in such manner that the laborer will receive an amount, insofar as such payment will suffice, equal to the amount of the accrued unpaid wages for such work, and that the producer will receive the remainder, if any, of such payments;

and whereas the Secretary of Agriculture, on March 26, 1942, held a public hearing in Christiansted, St. Croix, Virgin Islands, for the purpose of receiving evidence likely to be of assistance to him in determining fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane, in the Virgin Islands during 1942.

Now, therefore, I, Paul H. Appleby, Under Secretary of Agriculture, after investigation and due consideration of the evidence obtained at the aforesaid hearing and all other information before me do hereby make the following determination:

Authority: § 802.51, issued under sec. 301 (b) of the Sugar Act of 1937, as amended (50 Stat. 909; 7 U.S.C. 1131 (b)).

Fair and reasonable wages for the Virgin Islands for the calendar year 1942. The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met if all persons employed on the farm in 1942 in the production, cultivation, or harvesting of sugarcane with respect to which an application for payment is or will be made under such act, shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates not less than the following:

(a) Harvesting rates. For all workers engaged in the harvesting of sugarcane: Not less than $1.36 per 8-hour day. For a working day longer or shorter than 8 hours, the rate shall be not less than 17 cents per hour.

(b) Production and cultivation rates. For all workers engaged in the production and cultivation of sugarcane: Not less than $1.04 per 8-hour day. For a working day longer or shorter than 8 hours, the rate shall be not less than 13 cents per hour.

(c) Piece rates. Persons employed on a piece-rate basis shall be paid at rates which will result in earnings of not less than the applicable hourly rates provided in paragraph (a) or (b) of this section.

(d) General provisions. (1) The producer shall furnish to the laborer, without charge, the perquisites customarily furnished by him, such as a dwelling, garden plot, pasture lot, and medical services; and the producer shall not, through any subterfuge or device whatsoever reduce the wage rates to laborers below those determined above.

(2) Nothing in this determination shall be construed to mean that a producer may qualify for a payment under the said act who has not paid in full the amount agreed upon between the producer and the laborer.

Done at Washington, D. C., this 21st day of July 1942. Witness my hand and the seal of the Department of Agriculture.

S E A L

Paul H. Appleby
Under Secretary of Agriculture

(10)

S. D. No. 141 Issued July 24, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE

Agricultural Conservation and Adjustment Administration

Sugar Agency

Washington, D. C.

Determination of a Farm in the Virgin Islands

Pursuant to the provisions of subsection (b) of section 304 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

Definition of a farm in the Virgin Islands. For the purposes of the Sugar Act of 1937, as amended, a farm in the Virgin Islands means all land which is farmed by a producer, or group of producers, as a single farming unit, with cropping practices, work stock, equipment, labor, and management substantially separate from that of any other such unit.

Done at Washington, D. C., this 24th day of July, 1942. Witness my hand and the seal of the Department of Agriculture.

(Seal)

Claude R. Wickard,
Secretary of Agriculture.

S. D. No. 142 Issued July 27, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL CONSERVATION AND ADJUSTMENT ADMINISTRATION

SUGAR AGENCY

WASHINGTON, D. C.

SUGAR BEETS

DETERMINATION OF NORMAL YIELDS OF COMMERCIALLY RECOVERABLE SUGAR PER ACRE

Pursuant to the provisions of section 303 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

Determination of normal yield of commercially recoverable sugar per acre for sugar beets for the 1942 and subsequent sugar beet programs.—The provisions of the "Determination of Normal Yields of Commercially Recoverable Sugar Per Acre for Sugar Beets—1941 Sugar Beet Program," approved June 18, 1941, shall apply to the 1942 and subsequent sugar beet programs, except that for the 1942 program the year "1941" and the years "1934–40, inclusive," wherever they appear in such determination, shall be changed to "1942" and "1935–41, inclusive," respectively, and a corresponding change shall be made for each subsequent program.

Done at Washington, D. C., this 27th day of July, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

PAUL H. APPLEBY,
Under Secretary of Agriculture.

476938—42

U. S. GOVERNMENT PRINTING OFFICE: 1942

S. D. No. 142 (Revision) Issued August 3, 1943

WAR FOOD ADMINISTRATION

FOOD DISTRIBUTION ADMINISTRATION

SUGAR BRANCH

WASHINGTON, D. C.

DETERMINATION OF NORMAL YIELDS OF COMMERCIALLY RECOVERABLE SUGAR PER ACRE FOR SUGAR BEETS (REVISED)

Pursuant to the provisions of section 303 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

Determination of normal yields of commercially recoverable sugar per acre for sugar beets.—(a) The normal yield of commercially recoverable sugar per acre for any farm on which sugar beets are planted shall be the amount of sugar obtained by multiplying the normal yield of sugar beets in tons per acre for the farm by the amount of sugar, raw value, determined to be commercially recoverable under section 302 (a) of the Sugar Act of 1937, as amended, from a ton of sugar beets of normal percentage of sugar content for the farm.

(b) For the purposes of this determination:

(1) "Planted" sugar beets shall be deemed to include only sugar beets planted for harvest for the extraction of sugar.

(2) The "normal yield" of sugar beets shall be:

(i) For a farm on which sugar beets were planted in 3 or more of the next preceding 7 years, the simple average of the annual average yields of sugar beets in tons per acre planted on the farm for all of such years in which sugar beets were planted;

(ii) For a farm on which sugar beets were planted in only 1 or 2 of the next preceding 7 years, the number of tons obtained by multiplying the county normal yield of sugar beets by the percentage that the simple average of the yields of sugar beets in tons per acre planted on the farm in such year or years is of the simple average of the county average yields of sugar beets for such year or years, except that the normal yield for such farm shall not be less than 80 percent nor more than 120 percent of the county normal yield; and

(iii) For a farm on which sugar beets were not planted in any of the next preceding 7 years, 90 percent of the county normal yield of sugar beets.

(3) The "county average yield" of sugar beets shall be:

(i) For each of the years 1936–41, inclusive, the yield established, or which could have been established, under the 1942 sugar-beet program; and

(ii) For the year 1942 and any subsequent year, for a county with 10 or more farms with respect to which applications for sugar payments were approved, the weighted average yield in tons per planted acre on such farms in such year, and for a county with less than 10 farms with respect to which applications for sugar payments were

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approved, the yield per acre established by the State Agricultural Conservation Committee on the basis of the yields per acre for such year in the county and in adjacent counties with similar production conditions.

(4) The "county normal yield" of sugar beets shall be:

(i) For a county for which county average yields are established for 3 or more of the next preceding 7 years on the basis of 10 or more farms, the simple average of all the average yield in tons per acre so established for such county for such years; and

(ii) For a county for which county average yields are established for less than 3 of the next preceding 7 years on the basis of 10 or more farms, the yield established by the State Agricultural Conservation Committee on the basis of the yields per acre for the next preceding 7 years in the county and in adjacent counties with similar production conditions.

(5) The "normal percentage of sugar content" of sugar beets for a farm from which sugar beets were contracted to be marketed under that type of agreement commonly known as an "individual test contract" shall be:

(i) In case sugar beets were so marketed in 3 or more of the next preceding 7 years, the simple average of the annual average percentages of sugar content, at the time of delivery to a processor, of the sugar beets marketed in all of such years in which sugar beets were so marketed;

(ii) In case sugar beets were so marketed in only 1 or 2 of the next preceding 7 years, the percentage of sugar content obtained by multiplying the county normal percentage of sugar content of sugar beets by the percentage that the simple average of the average percentages of sugar content, at the time of delivery to a processor, of the sugar beets marketed in such year or years is of the simple average of the county average percentages of sugar content of sugar beets for such year or years; and

(iii) In case sugar beets were not so marketed, in any of the next preceding 7 years, the county normal percentage of sugar content of sugar beets.

(6) The "county average percentage of sugar content" of sugar beets shall be:

(i) For each of the years 1936–41, inclusive, the percentage established, or which could have been established, under the 1942 sugar-beet program; and

(ii) For the year 1942 and any subsequent year, for a county with 10 or more farms with respect to which applications for sugar payments were approved, the weighted average percentage of sugar content, at the time of delivery to a processor, of all sugar beets marketed under individual test contracts in such year from farms in the county, and for a county with less than 10 farms with respect to which applications for sugar payments were approved, the percentage established by the State Agricultural Conservation Committee on the basis of the percentage of sugar content, at the time of delivery to a processor, of the sugar beets so marketed in such year from farms in the county and in adjacent counties.

(7) The "county normal percentage of sugar content" of sugar beets shall be:

(i) For a county for which county average percentages are established for 3 or more of the next preceding 7 years on the basis of 10 or more farms, the simple average of all the average percentages so established for the county for such years; and

(ii) For a county for which county average percentages are established for less than 3 of the next preceding 7 years on the basis of 10 or more farms, the percentage established by the State Agricultural Conservation Committee on the basis of the percentage of sugar content, at the time of delivery to a processor, of the sugar beets marketed under individual test contracts in the next preceding 7 years from farms in the county and in adjacent counties.

(8) The "normal percentage of sugar content" of sugar beets for a farm from which sugar beets were contracted to be marketed under any type of agreement other than that commonly known as an "individual test contract" shall be the normal percentage of sugar content of sugar beets for the district (an area in which a common marketing agreement was in use).

(9) The "normal percentage of sugar content of sugar beets for the district" shall be:

(i) For a district in which a beet-sugar factory was operated in 3 or more of the next preceding 7 years, the simple average of the annual average percentages of sugar content, at the time of processing, of all of the sugar beets processed in the district in all of such years in which sugar beets were processed; and

(ii) For a district in which a beet-sugar factory was operated in less than 3 of the next preceding 7 years, the percentage of sugar content of sugar beets established by the Agricultural Adjustment Agency on the basis of the average percentage of sugar content, at the time of processing, of sugar beets produced under similar conditions in the next preceding 7 years.

This determination supersedes, with respect to the 1943 and subsequent crops, the "Determination of Normal Yields of Commercially Recoverable Sugar Per Acre for Sugar Beets, Pursuant to the Sugar Act of 1937, as Amended," issued July 27, 1942.

Issued this 3d day of August 1943.

MARVIN JONES,
War Food Administrator.

U. S. GOVERNMENT PRINTING OFFICE: 1943

S. D. No. 143 Issued August 29, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL CONSERVATION AND ADJUSTMENT ADMINISTRATION

SUGAR AGENCY

WASHINGTON, D. C.

DETERMINATION OF PROPORTIONATE SHARES FOR FARMS IN THE TERRITORY OF HAWAII FOR THE 1942 CROP

Pursuant to the provisions of subsections (a) and (b) of section 302 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

Proportionate shares for farms in the Territory of Hawaii for the 1942 crop—(a) PROPORTIONATE SHARE FOR ANY FARM.—The proportionate share for any farm in the Territory of Hawaii for the 1942 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on such farm and marketed (or processed by the producer) for the extraction of sugar during the calendar year 1942.

(b) ADHERENT PLANTER PROTECTION.—The provisions of this determination shall be subject to the following conditions: (1) that no changes in the planter-plantation sugarcane production relationship shall have been made, and (2) that no reduction in the number of planters shall have been made under programs carried out pursuant to the Act, except such as are considered justified and are approved by the Chief of the Sugar Agency and the Director of the Division of Special Programs of the Agricultural Adjustment Agency, acting either jointly or severally.

Done at Washington, D. C. this 29th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

GROVER B. HILL,
Assistant Secretary of Agriculture.

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U. S. GOVERNMENT PRINTING OFFICE: 1942

(14)

S. D. No. 144 Issued September 2, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE

Agricultural Conservation and Adjustment Administration

Sugar Agency

Washington, D. C.

Virgin Islands; Sugarcane Farming Practices, 1942

Determination of farming practices to be carried out in connection with the production of sugarcane of the 1942 crop year in the Virgin Islands, pursuant to the Sugar Act of 1937, as amended.

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

Farming practices to be carried out in connection with the production of sugarcane of the 1942 crop year. The farming practices actually carried out in connection with the production of sugarcane of the 1942 crop year on farms in the Virgin Islands shall be deemed to meet the requirements of section 301 (e) of the Sugar Act of 1937, as amended.

Done at Washington, D. C., this 2nd day of September, 1942. Witness my hand and the seal of the Department of Agriculture.

(Seal)

Grover B. Hill,
Assistant Secretary of Agriculture

S. D. No. 145 Issued September 2, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE

Agricultural Conservation and Adjustment Administration

Sugar Agency

Washington, D. C.

Virgin Islands; Sugar Cane Farming Practices, 1943

Determination of farming practices to be carried out in connection with the production of sugarcane of the 1943 crop year in the Virgin Islands, pursuant to the Sugar Act of 1937, as amended.

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

Farming practices to be carried out in connection with the production of sugarcane of the 1943 crop year. The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to any farm in the Virgin Islands if soil-conserving food crops for human consumption are grown during the period August 1, 1942, to January 31, 1943, on the type of land and in the manner set forth below:

(a) The land to be used for the production of the crops in question shall be land suitable for the production of sugarcane, and the acreage so used shall be equal to not less than 7% of the land on the farm on which sugarcane is growing at July 31, 1942 (but in no event less than one-tenth of an acre): Provided, however, That (1) not less than 80% of such acreage shall be planted to the types of leguminous food crops required under § 702.301 (e) (1) of the 1942 Agricultural Conservation Program Bulletin for the Insular Region and the balance planted to any other food crops therein specified, (2) the plants or vines of such food crops shall not be removed from the land on which grown, and (3) where row crops are to be grown on land of more than 6% average slope, the planting and cultivating shall be carried out along lines deviating not more than 2% from contour lines.

(b) The land devoted to the crops in question shall be suitably prepared by plowing or disking, adequately seeded, and cultivated in a workmanlike manner to assure a good stand at the time of maturity.

Done at Washington, D. C., this 2d day of September 1942. Witness my hand and the seal of the Department of Agriculture.

(Seal)

Grover B. Hill,
Assistant Secretary of Agriculture.